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	APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
	10/680,178	10/08/2003	10/08/2003 Tomonobu Takashima		5393		
	21171 STAAS & HAI	7590 05/16/2007 LSEY LLP		EXAM	EXAMINER		
	SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			HSU, A	HSU, ALPUS		
				ART UNIT	PAPER NUMBER		
				2616	*		
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		•		MAIL DATE	DELIVERY MODE		
				05/16/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

					GK.				
		App	lication No.	Applicant(s)					
		10/	680,178	TAKASHIMA ET A	AL.				
Office Action Summary			miner	Art Unit					
			ıs H. Hsu	2616					
The M Period for Reply	MAILING DATE of this communic Y	cation appears	on the cover sheet with the	correspondence ad	ddress				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).									
Status									
1)⊠ Respo	nsive to communication(s) filed	d on 28 March	2007.						
· · · · · · · · · · · · · · · · · · ·	☐ This action is FINAL . 2b)☐ This action is non-final.								
	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.								
Disposition of C	Claims								
4)⊠ Claim(4a) Of 5 5)□ Claim(6)⊠ Claim(7)□ Claim(4) Claim(s) 17-21 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 17-21 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement.								
Application Pap	ers								
9)∏ The spe	9)☐ The specification is objected to by the Examiner.								
10)☐ The dra	10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.								
Applica	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).								
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.									
Priority under 3	5 U.S.C. § 119								
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 									
	rences Cited (PTO-892)		4) 🔲 Interview Summar						
2) Notice of Draft 3) Information Di	sperson's Patent Drawing Review (PT sclosure Statement(s) (PTO/SB/08) ail Date <u>9/19/06, 10/20/06, 11/17/06</u> .	O-948)	Paper No(s)/Mail I 5) Notice of Informal 6) Other:	Date					

Application/Control Number: 10/680,178 Page 2

Art Unit: 2616

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

The newly introduced terms of "ATM packets" or "ATM packet" as in claims 17-21 do not have proper antecedent basis in the original specification disclosure. To be more specific, only the terms of "ATM cells" or "ATM cell" were described in the disclosure.

2. Claims 17-21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The claimed subject matter of multiplexing the communication information, channel identification information of the communication information and information indicative of lengths of the communication information of a first ATM packet and a second ATM packet into a new ATM packet was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

3. Claim 21 is objected to because of the following informalities:

In claim 21, line 4, "TM" should read as -- ATM --.

Appropriate correction is required.

Application/Control Number: 10/680,178 Page 3

Art Unit: 2616

4. Claim 21 is rejected as vague and indefinite since the claim recites only a single means (namely, a unit) and thus encompasses all possible means for performing a desired function.

See Ex parte Bullock, 1907 C.D. 93; 127 O.G. 1580.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alpus H. Hsu whose telephone number is (571)272-3146. The examiner can normally be reached on M-F (5:30-3:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571)272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 10/680,178 Page 4

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AHH

Alpus H. Hsu Primary Examiner Art Unit 2616

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